IN THE COURT OF APPEALS FIRST APPELLATE DISTRICT OF OHIO HAMILTON COUNTY, OHIO

STATE OF OHIO, : APPEAL NOS. C-081145

C-081146

Plaintiff-Appellee, : TRIAL NOS. B-0805190(A)

B-0806557

vs. :

JUDGMENT ENTRY.

STACEY BANKS,

Defendant-Appellant. :

We consider these appeals on the accelerated calendar, and this judgment entry is not an opinion of the court.¹

In the case numbered B-0805190(A), defendant-appellant Stacey Banks was indicted for forgery,² two counts of receiving stolen property,³ and misuse of credit cards.⁴ In the case numbered B-0806557, she was indicted for identity fraud.⁵ She pleaded guilty to forgery and identity fraud, and the remaining charges were dismissed. After accepting her pleas and a presentence investigation, the trial court sentenced her to 12 months in prison on each count, to be served concurrently. She now appeals.

After a thorough review of the record, appointed counsel has advised this court that there are no arguable assignments of error to present on appeal.⁶ Counsel has advised Banks of this determination and has asked this court to conduct an

¹ See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.

² R.C. 2913.31(A)(1).

³ R.C. 2913.51(A).

⁴ R.C. 2913.21(B)(2).

⁵ R.C. 2913.49(B)(2).

⁶ See Anders v. California (1967), 386 U.S. 738, 87 S.Ct. 1396.

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independent review of the record to determine whether the proceedings below were free of prejudicial error.⁷

Appointed counsel states that Banks believes that she received an unfair sentence. We have thoroughly reviewed the record, and we concur in counsel's conclusion that the proceedings below were free of error prejudicial to Banks.⁸

Our determination that the proceedings below were free of prejudicial error also compels our conclusion that there are no reasonable grounds for this appeal. But due to Banks's indigency, we allow no penalty.

Therefore, we affirm the trial court's judgment.

A certified copy of this judgment entry is the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

HENDON, P.J., SUNDERMANN and DINKELACKER, JJ.

To the Clerk:	
Enter upon the	Journal of the Court on November 18, 2009
per order of the Court	STILL
_	Presiding Judge

⁷ See Freels v. Hills (C.A.6, 1988), 843 F.2d 958; State v. Mackey (Dec. 17, 1999), 1st Dist. No. C-990302.

⁸ See Penson v. Ohio (1988), 488 U.S. 75, 109 S.Ct. 346.